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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,652	07/28/2003	Brian H. Jung		4456

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EXAMINER

DEVORE, PETER T

ART UNIT	PAPER NUMBER
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3751

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/627,652

Applicant(s)

JUNG, BRIAN H.

Examiner

Peter T deVore

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15-20 is/are rejected.
- 7) ☒ Claim(s) 14 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 18 is objected to because of the following informalities: claim 18 improperly depends from itself. For examination purposes it is assumed that claim 18 depends from claim 17. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 6 (and 7, 10, 12, and 13 which depend therefrom), the claim language "said inlet is in communication with a cold/hot water supply" is indefinite as it is unclear whether the water supply is a positively recited element.

Regarding claim 8 (and 9 and 11 which depend therefrom), there is insufficient antecedent basis in the claims for "the toilet seat".

Regarding claim 10 (and 12 and 13 which depend therefrom), there is insufficient antecedent basis in the claims for "the toilet seat".

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Raines.

The Raines reference discloses a housing 1 having an inlet 11, an outlet 12, and fluid under pressure (from supply 5), a reservoir 22 having an additive and including an inlet 77, an outlet 84, and pump means 82, and biased flexible member 46.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raines in view of Dzwonkiewicz.

The Raines reference discloses a housing as discussed supra, but does not disclose adjustable control means in the inlet or outlet. However, attention is directed to the Dzwonkiewicz reference, which discloses a similar housing having a control means 248 in the inlet and a control means 320 in the outlet to precisely control the fluid flow. It would have been obvious to one of ordinary skill in the art to modify the Raines

housing to have a control means in the inlet and outlet in view of the teachings of Dzwonkiewicz to precisely control the fluid flow.

Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of Wilk.

The Han reference discloses a bidet comprising a housing (see Figure 1), a base 13, means for regulating fluid flow (20, 21), a control sub assembly 12, control dial means (22 and 23) on top, means for introducing fluid to housing inlet 65, means for conducting fluid from housing outlet (28 and 29), and nozzles (42 and 43), but does not disclose soap dispensing means controlled by control means. However, attention is directed to the Wilk reference, which discloses a similar bidet including soap dispensing means 110 controlled by control means 106 to conveniently mix soap into the bidet water. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ soap dispensing means controlled by control means in the Han bidet in view of the teachings of Wilk for convenient mixing of soap into the bidet water. Regarding claim 19, although Han does not disclose indicia adjacent the control dial, the Examiner takes Official Notice that it is well known in the art to print indicia next to control dials so that a user can conveniently determine the function of the control dial, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ indicia next to the control dial of the modified Han device so that a user can conveniently determine the functioning of the control dial.

Claims 15, 16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of Wilk as applied to claim 17 above, and further in view of Plyant.

The Han reference discloses a bidet as discussed supra, but remains silent as to what the housing is made from. However, attention is directed to the Plyant reference, which discloses a similar bidet having a housing made of plastic (see col. 3, lines 8-10) for inexpensive fabrication of the housing. It would have been obvious to one of ordinary skill in the art to fabricate the housing of the modified Han device from plastic in view of Plyant for inexpensive fabrication of the housing.

#### ***Allowable Subject Matter***

Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

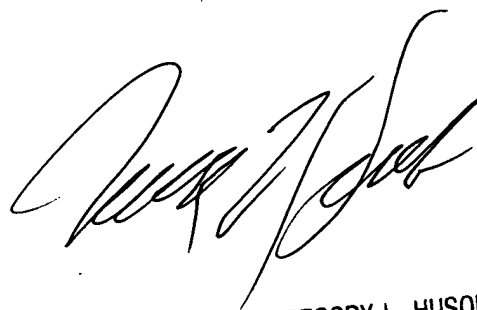
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter T deVore whose telephone number is (703) 306-5481. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on (703) 308-2580. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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